



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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*11 January 2013*

This report summarizes regulatory items reviewed by the NASA RRAC PC and includes items with direct applicability to NASA facilities and operations, as well as items of general interest. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "78 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary and other materials are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>.

Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms and Abbreviations

AAC = Alabama Administrative Code  
 AAM = *Alabama Administrative Monthly*  
 AB = Assembly Bill  
 ARB = Air Resources Board  
 ARC = Ames Research Center  
 ATCM = Airborne toxic control measure  
 BLM = U.S. Bureau of Land Management  
 CCR = *California Code of Regulations*  
 CDFW = California Department of Fish and Wildlife  
 CEC = California Energy Commission  
 CFR = *Code of Federal Regulations*  
 CRNR = California Regulatory Notice Register  
 DFRC = Dryden Flight Research Center  
 DoD = U.S. Department of Defense  
 DOE = U.S. Department of Energy  
 DOL = U.S. Department of Labor  
 DRECP = Desert Renewable Energy Conservation Plan  
 DSW = Division of Surface Water  
 EIB = Environmental Improvement Board  
 EIS = Environmental Impact Statement  
 EPA = U.S. Environmental Protection Agency  
 F.A.C = Florida Administrative Code  
 FAR = *Florida Administrative Register*  
 FDEP = Florida Department of Environmental Protection  
 FIP = Federal Implementation Plan  
 FR = *Federal Register*  
 FWS = U.S. Fish and Wildlife Service  
 FY = Fiscal year  
 GHG = Greenhouse gas  
 GSA = General Services Administration  
 IARC = International Agency for Research on Cancer  
 ICAO = International Civil Aviation Organization  
 JPL = Jet Propulsion Laboratory  
 KSC = Kennedy Space Center  
 MAF = Michoud Assembly Facility  
 NAAQS = National Ambient Air Quality Standards  
 NASA = National Aeronautics and Space Administration  
 NCA = National Climate Assessment  
 NCADAC = National Climate Assessment and Development  
     Advisory Committee  
 NEPA = National Environmental Policy Act

NESHAP = National Emissions Standards for Hazardous Air  
     Pollutants  
 NI = Nuclear infrastructure  
 NO<sub>x</sub> = Nitrogen oxides  
 NMAC = New Mexico Administrative Code  
 NMED = New Mexico Environmental Department  
 NPDES = National Pollutant Discharge Elimination System  
 NSPS = New Source Performance Standards  
 OAC = Ohio Administrative Code  
 OEHA = Office of Environmental Health Hazard  
     Assessment  
 OEPA = Ohio Environmental Protection Agency  
 OSHA = Occupational Safety and Health Administration  
 P2 = Pollution prevention  
 PAL = Plantwide applicability limit  
 PEIS = Programmatic Environmental Impact Statement  
 PM<sub>2.5</sub> = Particulate matter having an aerodynamic equivalent  
     diameter of 2.5 microns or less  
 PSD = Prevention of significant deterioration  
 Pu-238 = Plutonium-238  
 RIN = Regulatory Identification Number  
 RISC = Regulatory Information Service Center  
 RRAC PC = Principal Center for Regulatory Risk Analysis  
     and Communication  
 RPS = Radioisotope power system  
 SCAB = South Coast Air Basin  
 SCAQMD = South Coast Air Quality Management District  
 SIP = State Implementation Plan  
 SNUR = Significant New Use Rule  
 SSFL = Santa Susana Field Laboratory  
 SWRCB = State Water Resources Control Board  
 TRI = Toxic Release Inventory  
 TSCA = Toxic Substances Control Act  
 U.S. = United States  
 UW = Universal waste  
 VAC = Virginia Administrative Code  
 VCAPCD = Ventura County Air Pollution Control District  
 VA.R. = *Virginia Register*  
 VDEQ = Virginia Department of Environmental Quality  
 VPDES = Virginia Pollution Discharge Elimination System

# 1.0 U.S. Federal Regulatory Review

## 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and related operations.

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED011113-1	Air Aircraft Engines	12/31/2012	<a href="#">77 FR 76842</a> <a href="#">HTML</a>   <a href="#">PDF</a>	Final Rule	Federal Aviation Administration  Exhaust Emissions Standards for New Aircraft Gas Turbine Engines and Identification Plate for Aircraft Engines [14 CFR Parts 34 and 45]  Amends emission standards for turbine engine-powered airplanes to incorporate federal standards ( <a href="#">77 FR 36341</a> , 06/18/2012). This action revises standards for the following: <ul style="list-style-type: none"> <li>▪ Oxides of nitrogen and test procedures for exhaust emissions based on International Civil Aviation Organization standards</li> <li>▪ Identification and marking requirements for engines</li> </ul> Effective 12/31/2012. Comments due 03/01/2013. [RIN 2120-AK15]	<a href="#">Aircraft engine test operations</a> should be aware of this action.
FED011113-2	Air NAAQS-Lead	01/11/2013	<a href="#">78 FR 2394</a> <a href="#">HTML</a>   <a href="#">PDF</a>	Notice	U.S. Environmental Protection Agency  Release of Draft Document Related to the Review of the National Ambient Air Quality Standards for Lead  Announces availability of the draft document titled, " <a href="#">Policy Assessment for the Review of the Lead National Ambient Air Quality Standards, External Review Draft</a> ." This document was prepared as part of the current review of the <a href="#">lead NAAQS</a> . Comments due 02/04/2013.	
FED011113-3	Commercial Space Transportation Explosives	01/08/2013	<a href="#">78 FR 1143</a> <a href="#">HTML</a>   <a href="#">PDF</a>	Notice Correction	Federal Aviation Administration, U.S. Department of Transportation  Explosive Siting Requirements; Correction [14 CFR Part 420]  Corrects a reference to the DoD Explosives Safety Board in a final rule ( <a href="#">77 FR 55108</a> , 09/07/2012) for siting explosives requirements. Effective 01/08/2013. [RIN 2120-AJ73]	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED011113-4	Hazardous Materials Transportation	01/07/2013	<a href="#">78 FR 987 HTML</a>   <a href="#">PDF</a>	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration; U.S. Department of Transportation</p> <p>Hazardous Materials: Harmonization with International Standards (RRR) [49 CFR Parts 171, 172, 173, 175, 176, 177, and 178]</p> <p>Finalizes amendments to maintain alignment with international standards by revising requirements for the following:</p> <ul style="list-style-type: none"> <li>Shipping names</li> <li>Hazard classes</li> <li>Packing groups</li> <li>Special provisions</li> <li>Packaging authorizations</li> <li>Air transport quantity limitations</li> <li>Vessel stowage</li> </ul> <p>These revisions are intended t to harmonize the regulations with recent changes made to the following standards:</p> <ul style="list-style-type: none"> <li><a href="#">International Maritime Dangerous Goods Code</a></li> <li>International Civil Aviation Organization's <a href="#">Technical Instructions for the Safe Transport of Dangerous Goods by Air</a></li> <li><a href="#">United Nations Recommendations on the Transport of Dangerous Goods-Model Regulations</a></li> </ul> <p>Effective 01/01/2013. [RIN 2137-AE87]</p>	<a href="#">NASA activities shipping hazardous materials</a> should be aware of this action.
FED011113-5	Hazardous Materials Transportation	01/07/2013	<a href="#">78 FR 1101 HTML</a>   <a href="#">PDF</a>	Final Rule	<p>Pipeline and Hazardous Materials Safety Administration; U.S. Department of Transportation</p> <p>Hazardous Materials: Harmonization With the United Nations Recommendations on the Transport of Dangerous Goods: Model Regulations, International Maritime Dangerous Goods Code, and the International Civil Aviation Organization Technical Instructions for the Safe Transport of Dangerous Goods by Air [49 CFR Parts 171, 172, 173, 175, 176, and 178]</p> <p>Finalizes amendments as a result of administrative appeals addressing the following:</p> <ul style="list-style-type: none"> <li>Recent actions taken by the International Civil Aviation Organization's Dangerous Goods Panel regarding passenger notification of hazardous materials restrictions by operators</li> <li>Revised shipper responsibilities related to packaging design variation, manufacturer notification, and record-keeping requirements for certain packaging types</li> </ul> <p>Effective 01/01/2013. [RIN 2137-AE83]</p>	<a href="#">NASA activities shipping hazardous materials</a> should be aware of this action.
FED011113-6	Hazardous Materials Transportation Lithium Batteries	01/07/2013	<a href="#">78 FR 1119 HTML</a>   <a href="#">PDF</a>	Notice	<p>Pipeline and Hazardous Materials Safety Administration; U.S. Department of Transportation</p> <p>Hazardous Materials: Transportation of Lithium Batteries [49 CFR Parts 172, 173, and 175]</p> <p>Solicits comments on the following:</p> <ul style="list-style-type: none"> <li>Impact of changes to requirements for air transport of lithium cells and batteries that have been adopted into the 2013-2014 ICAO Technical Instructions on the Transport of Dangerous Goods by Air (<a href="#">75 FR 1302</a>, 01/11/2010)</li> <li>Whether to require mandatory compliance with the 2013-2014 ICAO Technical Instructions for all air shipments of lithium batteries</li> </ul> <p>Comments due 03/08/2013. [RIN 2137-AE44]</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED011113-7	Policy Regulatory Agenda	01/08/2013	<a href="#">78 FR 1317 HTML</a>   <a href="#">PDF</a>	Notice	<p>Regulatory Information Service Center</p> <p>Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions</p> <p>Announces availability of the semiannual regulatory agenda for fall 2012, which contains the plans and rulemaking agendas of certain federal entities. Provides updates regarding the following:</p> <ul style="list-style-type: none"> <li>Regulations and major policies currently under development</li> <li>Reviews of existing regulations and major policies</li> <li>Rules and major policy development actions completed or canceled since the last agenda</li> </ul> <p>This edition of the FR contains the agendas for numerous federal agencies, including the following:</p> <ul style="list-style-type: none"> <li>DOL (OSHA)–<a href="#">78 FR 1590</a></li> <li>EPA–<a href="#">78 FR 1624</a></li> <li>NASA–<a href="#">78 FR 1634</a></li> <li>GSA–<a href="#">78 FR 1646</a></li> </ul> <p>More information about EPA's Semiannual Regulatory Agenda and EPA's Regulatory Plan is available on the EPA <a href="#">website</a>. Further information about the Unified Agenda of Regulatory and Deregulatory Actions is posted on the RISC <a href="#">website</a>.</p>	
FED011113-8	Propulsion Plutonium-238	01/09/2013	<a href="#">78 FR 1848 HTML</a>   <a href="#">PDF</a>	Notice	<p>U.S. Department of Energy</p> <p>Plutonium-238 Production for Radioisotope Power Systems for National Aeronautics and Space Administration and National Security Missions</p> <p>Announces DOE's intention to reestablish domestic production of Pu-238 for RPSs to support NASA and national security missions based on the NI PEIS and cancel the more recent Consolidation EIS. Before proceeding with Pu-238 production, DOE will prepare a Supplement Analysis to evaluate whether additional NEPA review is warranted.</p>	<a href="#">Operations related to radioisotope power systems</a> should be aware of this action.
FED011113-9	Technology	01/03/2013	<a href="#">78 FR 290 HTML</a>   <a href="#">PDF</a>	Notice Meeting	<p>National Institute of Standards and Technology</p> <p>National Conference on Weights and Measures 98th Interim Meeting</p> <p>Announces the National Conference on Weights and Measures 98th Interim Meeting scheduled for 01/27/2013 through 01/30/2013 in Charleston, South Carolina. Further information is available on the conference <a href="#">website</a>.</p>	
FED011113-10	Toxic Substances	12/31/2012	<a href="#">77 FR 76897 HTML</a>   <a href="#">PDF</a>	Final Rule	<p>U.S. Environmental Protection Agency</p> <p>Significant New Use Rule on Certain Chemical Substances; Removal of Significant New Use Rules [40 CFR Parts 9 and 721]</p> <p>Withdraws SNURs for the following chemical substances (<a href="#">77 FR 58665</a>, 09/21/2012):</p> <ul style="list-style-type: none"> <li>Pentane, 1,1,1,2,3,3-hexafluoro-4-(1,1,2,3,3,3-hexafluoropropoxy)-</li> <li>Partially fluorinated alcohol substituted glycols (generic)</li> </ul> <p>EPA intends to publish proposed SNURs for these chemical substances under separate notice and comment procedures. Effective 12/31/2012. [RIN 2070-AB27]</p>	

Tracking Number	Subject	Date Published	Citation	Type Action	Description	Suggested Actions
FED011113-11	Toxic Substances	01/09/2013	<a href="#">78 FR 1856 HTML</a>   <a href="#">PDF</a>	Notice	U.S. Environmental Protection Agency Availability of Draft Chemical Risk Assessments; Public Comment Opportunity Solicits comments on <a href="#">draft chemical risk assessments</a> addressing the following chemicals listed in EPA's <a href="#">TSCA Work Plan</a> : <ul style="list-style-type: none"> <li>▪ <a href="#">Antimony trioxide</a></li> <li>▪ <a href="#">Methylene chloride</a></li> <li>▪ <a href="#">N-methylpyrrolidone</a></li> <li>▪ <a href="#">Trichloroethylene</a></li> <li>▪ <a href="#">1,3,4,6,7,8-hexahydro-4,6,6,7,8,8-hexamethylcyclopenta[gl]-2-benzopyran</a></li> </ul> Comments due 03/11/2013. Also solicits nominations of expert peer reviewers. Nominations due 02/08/2013.	
FED011113-12	Toxic Substances Lead	12/31/2012	<a href="#">77 FR 76996 HTML</a>   <a href="#">PDF</a>	Notice Meeting	U.S. Environmental Protection Agency Lead; Renovation, Repair, and Painting Program for Public and Commercial Buildings; Request for Information and Advance Notice of Public Meeting [40 CFR Part 745] Solicits comments and data regarding activities that have the potential to create lead-based paint hazards and development of certification, training, and work practice requirements for these activities. Meeting is scheduled for 06/26/2013. Comments due 04/01/2013. [RIN 2070-AJ56]	
FED011113-13	Toxic Substances Lead	01/07/2013	<a href="#">78 FR 938 HTML</a>   <a href="#">PDF</a>	Notice Meeting	U.S. Environmental Protection Agency Notification of a Public Meeting and a Public Teleconference of the Clean Air Scientific Advisory Committee Lead Review Panel Announces <a href="#">public meetings</a> and public teleconference to conduct a peer review of EPA's " <a href="#">Integrated Science Assessment for Lead (Third External Review Draft--November 2012)</a> " and EPA's " <a href="#">Policy Assessment for the Review of the Lead National Ambient Air Quality Standards (First External Review Draft--January 2013)</a> ." Meetings are scheduled for 02/05/2013 and 02/06/2013 in Cary, North Carolina. Public teleconference is scheduled for 04/01/2013.	
FED011113-14	Vessels	01/09/2013	<a href="#">78 FR 2147 HTML</a>   <a href="#">PDF</a>	Proposed Rule	U.S. Coast Guard Seagoing Barges [46 CFR Parts 2, 24, 30, 70, 90, 91, and 188] Proposes to revise several vessel inspection and certification regulations to align with a statutory definition of "seagoing barge" and with an exemption from inspection and certification requirements for certain seagoing barges. Comments due 03/11/2013. [RIN 1625-AB71]	<a href="#">MAF</a> and <a href="#">KSC</a> should be aware of this action.

## 1.2 Other News and Developments

### 1.2.1 FY 2012 Enforcement Results

On 17 December 2012, EPA [released](#) its Annual Enforcement Results for FY 2012. EPA uses an enforcement mechanism to reduce existing and potential violations of environmental regulations. These data, available on EPA's [website](#), summarize enforcement actions and accomplishments during FY 2012. EPA's enforcement program is structured to implement the following [National Enforcement Initiatives](#):

- Reducing Air Pollution from the Largest Sources
- Cutting Hazardous Air Pollutants
- Keeping Raw Sewage and Contaminated Stormwater Out of Our Nation's Waters

- Preventing Animal Waste from Contaminating Surface and Ground Water
- Assuring Energy Extraction Activities Comply with Environmental Laws
- Reducing Pollution from Mineral Processing Operations

In addition to highlighting the previous fiscal year's activities, the website presents case [analyses and trends](#), [accomplishments](#), and an interactive [case map](#).

### 1.2.2 Toxic Release Inventory Pollution Prevention Search Tool

On 07 January 2013, EPA released its [TRI Pollution Prevention Search Tool](#). The tool allows users to search the TRI database for information about [pollution prevention](#) (P2) practices implemented at facilities throughout the nation. To inform localities about toxic chemical management and releases to the environment at nearby facilities, regulated entities must submit information about each TRI-[listed](#) substance in use at or above the reporting thresholds.

When submitting their TRI reports, facilities may provide information regarding P2 practices they implement that reduce releases of TRI substances to the environment. The tool can be searched by industry sector, state, or year to complete the following actions:

- Identify effective environmental practices for a given industry or substance
- Compare waste management practices of certain facilities within an industry sector
- View waste management practice trends over multiple years

### 1.2.3 Consumer Confidence Report Electronic Delivery

EPA recently conducted a [retrospective review](#) of the [Consumer Confidence Report Rule](#). Under authority of the [Safe Drinking Water Act](#), the rule mandates that water providers must distribute a Consumer Confidence Report to their customers each year. As a result of its retrospective review, EPA released a delivery options [memorandum](#) stating that water suppliers can now distribute the reports in electronic format via e-mail or the internet instead of mailing a paper copy.

### 1.2.4 Federal Advisory Committee Draft Climate Assessment Review

The [National Climate Assessment and Development Advisory Committee](#) (NCADAC) has released the Third National Climate Assessment [draft report](#) for public comment. The NCADAC is a federal advisory committee that oversees the activities of the [National Climate Assessment](#) (NCA), including development of the NCA draft report.

The draft report discusses a variety of topics related to climate change, including changes in weather patterns, changes in atmospheric composition, declining sea-ice levels, and the impacts of human activities on the climate. The report also includes a discussion of new technology that can be used to forecast future climate change. [Comments](#) due 12 April 2013.

## 1.3 NASA Regulatory Communication Working Group Updates

The next Regulatory Communication Working Group call will be held on Wednesday, 20 February 2013, at 10 a.m. CT.



## 2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

### 2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL011113-1	Air	12/31/2012	<a href="#">AAM Vol. XXXI, No. 3</a>	Proposed Rule	<p>Alabama Department of Environmental Management</p> <p>Air Pollution Control Program [AAC 335-3]</p> <p>Proposes the following revisions to the Division 3 Code:</p> <ul style="list-style-type: none"> <li>▪ Incorporate by reference changes to federal NSPS and NESHAPs.</li> <li>▪ Correct an error within the PSD regulations.</li> <li>▪ Incorporate changes to federal regulations for permits that have PALs.</li> <li>▪ Revise certain definitions for consistency with EPA revisions.</li> <li>▪ Incorporate the following revised chapters into the SIP: <ul style="list-style-type: none"> <li>▪ AAC 335-3-1, "General Provisions"</li> <li>▪ AAC 335-3-14, "Air Permits"</li> <li>▪ AAC 335-3-17, "Conformity of Federal Actions to State Implementation Plans"</li> </ul> </li> </ul> <p><a href="#">Proposed rule text</a> and <a href="#">summary of reasons</a> are available for review. <a href="#">Hearing</a> is scheduled for 02/06/2013 in Montgomery, Alabama. Comments due 02/08/2013.</p>	
AL011113-2	Air NSPS, NESHAPs	12/31/2012	<a href="#">AAM Vol. XXXI, No. 3</a>	Final Rule	<p>Alabama Department of Environmental Management</p> <p>General [AAC 335-3-10.01]; Designated Standards of Performance [AAC 335-3-10-.02]; General [AAC 335-11-.01]; National Emissions Standards for Hazardous Air Pollutants [AAC 335-3-11-.06]; EPA Regulations Reference Documents for New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants [AAC 335-3 Appendix C]</p> <p>Finalizes revisions to incorporate by reference changes to federal NSPS and NESHAPs. Effective 01/22/2013.</p>	

## 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in California.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA011113-1	Air	01/02/2013	<a href="#">78 FR 51 HTML</a>   <a href="#">PDF</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Designation of Areas for Air Quality Planning Purposes; California; Morongo Band of Mission Indians [40 CFR Part 81]</p> <p>Proposes to revise boundaries of certain air quality planning areas in Southern California to set the Indian nation of the Morongo Band of Mission Indians, California, as a separate air quality planning area for the 1-hour and 1997 8-hour ozone NAAQS. Comments due 02/01/2013.</p> <p><b>The Morongo Reservation is near the current boundary between the South Coast Air Basin and Southeast Desert/Coachella Valley air planning areas.</b></p>	<a href="#">NASA Centers and related operations in southern California</a> should be aware of this action.
CA011113-2	Air Cap-and-Trade	01/04/2013	<a href="#">2013 CRNR 01z, pg. 47</a>	Final Rule	<p>California Air Resources Board</p> <p>Mandatory Reporting, Fee Regulation, and Cap-and-Trade [17 CCR 95101-95105, 95111-9115, 95119-95123, 95130-95133, 95150-95158, 95202, and 95802]</p> <p>Adopts one new section and amends multiple existing regulations regarding mandatory reporting of GHG emissions. The adopted regulations clarify record-keeping requirements. Also amends definitions regarding the cost of implementation fees and cap and trade to conform to the California Global Warming Solutions Act of 2006 (AB 32). Effective 01/01/2013.</p>	<a href="#">NASA Centers and related operations in California</a> should be aware of this action.
CA011113-3	Air Cap-and-Trade	01/08/2013	<a href="#">ARB Website</a>	Notice	<p>California Air Resources Board</p> <p>Amendments to the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanisms to Allow for the Use of Compliance Instruments Issued by Linked Jurisdictions [17 CCR 95802, 95830, 95833, 95910-95913, 95920-95921, 95942-95943, 96010, and 96022]</p> <p><a href="#">Announces</a> availability of modified text, which will allow linking of the California and Quebec cap-and-trade programs. The modified text addresses minor corrections, typographical errors, and clarifications. Additional documents were posted pertaining to Quebec's regulations for the mandatory reporting of GHG emissions and the cap-and-trade system. Comments due 01/23/2013.</p>	
CA011113-4	Air Vehicle Emissions	01/04/2013	<a href="#">78 FR 724 HTML</a>   <a href="#">PDF</a>	Notice	<p>U.S. Environmental Protection Agency</p> <p>California State Nonroad Engine Pollution Control Standards; Off-Highway Recreational Vehicles and Engines; Request for Authorization</p> <p>Announces that ARB seeks EPA clarification regarding which amendments to the ARB Off-Highway Recreational Vehicle and Engines Regulations are within the scope of an existing EPA authorization and which amendments require a new authorization. Comments due 03/01/2013. Public hearing tentatively scheduled for 01/30/2013 in Washington, D.C.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA011113-5	Energy	01/03/2013	<a href="#">CEC Website</a>	Notice Meeting	<p>California Energy Commission</p> <p>Meeting to Discuss Interim Document for Desert Renewable Energy Conservation Plan</p> <p><a href="#">Announces</a> a meeting to discuss the draft "<a href="#">Description and Comparative Evaluation of DRECP Draft Alternatives</a>," which aims to protect important desert habitat and identify low-conflict land for renewable energy projects in the California desert. The DRECP focus encompasses several counties, including the following:</p> <ul style="list-style-type: none"> <li>▪ Kern</li> <li>▪ Los Angeles</li> <li>▪ San Bernardino</li> </ul> <p>Further information about the meeting, which was held 01/09/2013, is posted on the Plan <a href="#">website</a>. Comments due 01/23/2013.</p> <p><a href="#">A Fact Sheet and Summary of the Alternatives also were released.</a></p>	<a href="#">DFRC</a> , <a href="#">Goldstone</a> , and <a href="#">JPL</a> should be aware of this action.
CA011113-6	Species Southwestern Willow Flycatcher	01/02/2013	<a href="#">78 FR 343 HTML</a>   <a href="#">PDF</a>	Final Rule	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for Southwestern Willow Flycatcher [50 CFR Part 17]</p> <p>Designates a revised critical habitat for the endangered southwestern willow flycatcher, which is found in numerous counties, including the following:</p> <ul style="list-style-type: none"> <li>▪ Kern</li> <li>▪ Los Angeles</li> <li>▪ San Bernardino</li> <li>▪ Ventura</li> </ul> <p>Effective 02/04/2013.</p> <p><a href="#">Additional information is available on the FWS website.</a></p>	<a href="#">DFRC</a> , <a href="#">Goldstone</a> , <a href="#">JPL</a> , and <a href="#">SSFL</a> should be aware of this action.
CA011113-7	Toxic Substances Actinomycin D	01/04/2013	<a href="#">2013 CRNR, 01z, pg. 42</a>	Notice	<p>Office of Environmental Health Hazard Assessment</p> <p>Intent to Change the Basis for Listing Actinomycin D as Known to the State of California to Cause Cancer [27 CCR 25305]</p> <p>Announces intentions to change the basis for adding actinomycin D to the list of chemicals known to the state to cause cancer from the Labor Code Mechanism to the "formally required to be labeled or identified" mechanism. Comments due 02/04/2013.</p> <p><a href="#">This action is prompted by a recent decision in the Styrene Information and Research Council v. OEHHA case. More information is available on the OEHHA website.</a></p>	
CA011113-8	Toxic Substances Chloramphenicol	01/04/2013	<a href="#">2013 CRNR, 01z, pg. 43</a>	Final Rule	<p>Office of Environmental Health Hazard Assessment</p> <p>Chloramphenicol Removed from List of Chemicals Known to Cause Cancer [27 CCR 25305]</p> <p>Removes chloramphenicol from the list of chemicals known to the state to cause cancer. Effective 01/04/2013.</p> <p><a href="#">This removal is required by a recent decision in the Styrene Information and Research Council v. OEHHA case. More information is available on the OEHHA website.</a></p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA011113-9	Toxic Substances Dienestrol	01/04/2013	<a href="#">2013 CRNR 01z, pg. 38</a>	Final Rule	Office of Environmental Health Hazard Assessment  Dienestrol Removed from the List of Chemicals Known to Cause Cancer [27 CCR 25305]  Removes dienestrol from the list of chemicals known to the state to cause cancer. Effective 01/04/2013.  <b>This removal is required by a recent decision in the <i>Styrene Information and Research Council v. OEHHA</i> case. More information is available on the OEHHA website.</b>	
CA011113-10	Toxic Substances Proposition 65	01/04/2013	<a href="#">2013 CRNR 01z, pg. 39</a>	Notice	Office of Environmental Health Hazard Assessment  Regarding Certain International Agency for Research on Cancer 2B Chemicals  Announces that OEHHA will take action on the following chemicals that are on or have been proposed for addition to the Proposition 65 list as a result of the decision in the recent <a href="#">Styrene Information and Research Center v. OEHHA</a> legal case: <ul style="list-style-type: none"> <li>▪ <a href="#">Actinomycin D</a></li> <li>▪ <a href="#">Chloramphenicol</a></li> <li>▪ <a href="#">Dienestrol</a></li> <li>▪ <a href="#">Styrene</a></li> </ul> Also as a result of this decision, the following substances that were proposed for listing have been removed from consideration: <ul style="list-style-type: none"> <li>▪ Bleomycins</li> <li>▪ Progestins</li> <li>▪ Chlorophenoxy herbicides</li> <li>▪ Diesel fuel, marine</li> <li>▪ Vinyl acetate</li> </ul> <b>The court's ruling indicated that OEHHA may not list a chemical as known to the state to cause cancer solely on the basis that the substance is identified by the IARC as being possibly carcinogenic to humans (Group 2B), when that determination is based on less-than-sufficient evidence of carcinogenicity in humans and animals. Additional information is available on the OEHHA website.</b>	
CA011113-11	Toxic Substances Styrene	01/04/2013	<a href="#">2013 CRNR 01z, pg. 41</a>	Notice	Office of Environmental Health Hazard Assessment  Intent to List Styrene as Known to the State to Cause Cancer [27 CCR 25306]  Announces the intent to list styrene as known to the state to cause cancer by the Labor Code mechanism. Comments due 02/04/2013.  <b>This action is prompted by a recent decision in the <i>Styrene Information and Research Council v. OEHHA</i> case. More information is available on the OEHHA website.</b>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA011113-12	Water	12/31/2012	<a href="#">SWRCB Website</a>	Notice	State Water Resources Control Board San Francisco Bay/Sacramento-San Joaquin Delta Estuary (Bay-Delta) Program  <a href="#">Announces</a> availability of a " <a href="#">Draft Substitute Environmental Document</a> " in support of potential changes to the Water Quality Control Plan for the Bay-Delta: San Joaquin River flows and southern delta water quality. Proposed changes include the following: <ul style="list-style-type: none"> <li>▪ A new Low San Joaquin River flow objective and implementation program to support migratory fish populations</li> <li>▪ Revised quantitative southern Delta salinity objectives</li> </ul> Comments due 03/05/2013. Hearing is scheduled for 03/20/2013 in Sacramento, California.	
CA011113-13	Water Recycled Water	01/08/2013	<a href="#">SWRCB Website</a>	Proposed Rule	State Water Resources Control Board Recycled Water Policy  <a href="#">Proposes</a> amendments to the <a href="#">Recycled Water Policy</a> that would establish monitoring requirements for constituents of emerging concern in recycled water used for groundwater recharge. Public hearing scheduled for 01/22/2013 in Sacramento, California.  <a href="#">For this Policy, CECs are defined to be chemicals in personal care products, pharmaceuticals including antibiotics, antimicrobials; industrial, agricultural, and household chemicals; hormones; food additives; transformation products, inorganic constituents; and nanomaterials. Additional information about the Recycled Water Policy is available on the SWRCB website.</a>	<a href="#">NASA facilities in California</a> should be aware of this action, which could drive reductions of acceptable effluent contaminant levels.

## 2.2.1 California Department of Fish and Game Changes Name to Fish and Wildlife

On 01 January 2013, the California Department of Fish and Game officially changed its name to the [California Department of Fish and Wildlife](#) (CDFW). The mission, authority, and associated regulations of the CDFW have not changed.

## 2.2.2 2011 Air Resources Board Mandatory Greenhouse Gas Reporting Emissions Data Now Available

On 11 January 2013, the California ARB posted the GHG mandatory reporting emissions data for 2011 to the GHG reporting [website](#). The data were submitted by entities required to report under the California Regulation for the Mandatory Reporting of Greenhouse Gas Emissions. Data posted to the GHG reporting website include the following:

- Summary of reported 2011 data
- GHG emission trends for 2008 through 2011
- Emissions reported by individual facilities and entities

## 2.2.3 California Air Districts Regulatory Review

### 2.2.3.1 Antelope Valley Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Antelope Valley Air Quality Management District](#).

### 2.2.3.2 Bay Area Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Bay Area Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAB011113-1	Air NAAQS-PM <sub>2.5</sub>	01/09/2013	<a href="#">78 FR 1760 HTML</a>   <a href="#">PDF</a>	Final Rule	U.S. Environmental Protection Agency Determination of Attainment for the San Francisco Bay Area Nonattainment Area for the 2006 Fine Particle Standard; California; Determination Regarding Applicability of Clean Air Act Requirements [40 CFR Part 52]  Finalizes determination that the San Francisco Bay Area has achieved the 24-hour PM <sub>2.5</sub> NAAQS. Effective 02/08/2013.	<b>ARC</b> should be aware of this action.

### 2.2.3.3 Eastern Kern Air Pollution Control District

No regulatory items of interest were identified during this reporting period for the [Eastern Kern Air Pollution Control District](#).

### 2.2.3.4 Mojave Desert Air Quality Management District

No regulatory items of interest were identified during this reporting period for the [Mojave Desert Air Quality Management District](#).

### 2.2.3.5 South Coast Air Quality Management District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [South Coast Air Quality Management District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAS011113-1	Air NAAQS-Ozone	01/07/2013	<a href="#">78 FR 889 HTML</a>   <a href="#">PDF</a>	Final Rule	U.S. Environmental Protection Agency Finding of Substantial Inadequacy of Implementation Plan; Call for California State Implementation Plan Revision; South Coast [40 CFR Part 52]  Finalizes ruling that the SCAB SIP is inadequate to meet the 1-hour ozone standard. SCAQMD has 12 months to submit a revised plan that is approved by EPA. Otherwise, sanctions will be imposed and an FIP will be established. Effective 02/06/2013.  <a href="#">SIP documents currently in effect for the SCAQMD are posted on EPA's website.</a>	

### 2.2.3.6 Ventura County Air Pollution Control District

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations for the [Ventura County Air Pollution Control District](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CAV011113-1	Air Engines	12/31/2012	<a href="#">VCAPCD Website</a>	Notice	<p>Ventura County Air Pollution Control District</p> <p>New Portable Diesel Engine Fleet Emission Requirements</p> <p>Announces availability of an <a href="#">Advisory Notice</a> to owners and operators of certain portable diesel engines. The notice clarifies that the fleet averaging emission standard compliance date is 01/01/2013 and the reporting deadline is 03/01/2013.</p> <p><a href="#">The current portable diesel engine ATCM is posted on the ARB website.</a></p>	

## 2.3 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL011113-1	Species Wood Stork	01/03/2013	<a href="#">78 FR 278 HTML</a>   <a href="#">PDF</a>	Notice Correction	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; Reclassification of the Continental United States Breeding Population of the Wood Stork From Endangered to Threatened; Correction [50 CFR Part 17]</p> <p>Corrects proposed rule notice to reclassify the wood stork from endangered to threatened (<a href="#">77 FR 75947</a>, 12/26/2012) to update an incorrect docket number. Comments due 02/25/2013. [RIN 1018-AX60]</p>	
FL011113-2	Waste Hazardous Waste, Used Oil	01/10/2013	<a href="#">FAR Notice #12270420</a> ; <a href="#">FAR Notice #12267413</a>	Proposed Rule	<p>Department of Environmental Protection</p> <p>Used Oil Management [Chapter 62-710, F.A.C.]; Hazardous Waste [Chapter 62-730, F.A.C.]</p> <p>Proposes the following amendments to the Used Oil Management and Hazardous Waste rules identified in the FDEP's 2011-2012 Regulatory Plan:</p> <ul style="list-style-type: none"> <li>Delete unnecessary subsections, including requirements for the Compliance Assistance Pilot Project.</li> <li>Clarify rules, including definitions, transport requirements, and forms associated with used oil.</li> <li>Make technical corrections.</li> </ul> <p><a href="#">Hazardous Waste</a> and <a href="#">Used Oil Management</a> proposed rule texts are available for review. Comments due 01/31/2013.</p>	
FL011113-3	Water Analytical Methods	01/11/2013	<a href="#">FAR Notice #12479164</a>	Proposed Rule	<p>Department of Environmental Protection</p> <p>Scope/Applicability/References [Chapter 62-620.100, F.A.C.]</p> <p>Proposes to adopt by reference (<a href="#">77 FR 29757</a>, 05/18/2012) modifications to testing procedures approved for analysis and sampling. <a href="#">Proposed rule text</a> is available for review. Comments due 02/01/2013.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL011113-4	Water Monitoring	01/11/2013	<a href="#">FAR Notice #12495460</a>	Notice Meeting	<p>Department of Environmental Protection</p> <p>Florida Water Resources Monitoring Council Monitoring Catalog Workgroup</p> <p>Announces a meeting of the Florida Water Resources Monitoring Council Monitoring Catalog Workgroup to discuss the next steps for the monitoring catalog effort. Meeting is scheduled for 01/23/2013 via <a href="#">webinar</a>.</p> <p><a href="#">Further information about the Council is available on its website.</a></p>	
FL011113-5	Water Monitoring	01/11/2013	<a href="#">FAR Notice #12495751</a>	Notice Meeting	<p>Department of Environmental Protection</p> <p>Florida Water Resources Monitoring Council Salinity Network Workgroup</p> <p>Announces a meeting of the Florida Water Resources Monitoring Council Salinity Network Workgroup to discuss the development of indexes for groundwater levels and groundwater quality. Meeting is scheduled for 02/06/2013 via <a href="#">webinar</a>.</p> <p><a href="#">Further information about the Council is available on its website.</a></p>	
FL011113-6	Water Monitoring	01/11/2013	<a href="#">FAR Notice #12495751</a>	Notice Meeting	<p>Department of Environmental Protection</p> <p>Statewide Florida Water Resources Monitoring Council</p> <p>Announces meetings of the Statewide Florida Water Resources Monitoring Council to discuss the following workgroup tasks:</p> <ul style="list-style-type: none"> <li>▪ Coordinate a groundwater salinity network.</li> <li>▪ Gather information for the monitoring catalog effort.</li> <li>▪ Develop a coastal monitoring network.</li> <li>▪ Coordinate Regional Councils.</li> </ul> <p>Meetings scheduled for 02/12/2013 and 02/13/2013 in Tallahassee, Florida, or via <a href="#">webinar</a>.</p> <p><a href="#">Further information about the Council is available on its website.</a></p>	
FL011113-7	Water Water Treatment	01/02/2013	<a href="#">FAR Notice #12336768</a>	Notice Correction	<p>Department of Environmental Protection</p> <p>Definitions [Chapter 62-699.200, F.A.C.]; Classification and Staffing of Domestic Wastewater or Water Treatment Plants and Water Distribution Systems [Chapter 62-699.310, F.A.C.]; Additional Classification and Staffing Requirements [Chapter 62-699.311, F.A.C.]</p> <p>Corrects proposed rule (<a href="#">FAR Notice #11832271</a>, 10/30/2012) definitions and clarifies water treatment classifications. <a href="#">Corrected text</a> is available for review.</p>	<a href="#">KSC wastewater treatment activities</a> should be aware of this action.

## 2.4 Louisiana State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Louisiana.

## 2.5 Maryland State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Maryland.



## 2.6 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

## 2.7 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM011113-1	Air SIP	01/07/2013	<a href="#">EIB Website</a>	Notice Meeting	New Mexico Environmental Department Proposed SIP Revisions [20.2.98 NMAC]  Announces a meeting to discuss a petition to repeal New Mexico's regulation on Conformity of Federal Actions to the SIP. NMED presented the petition to the Board on 01/07/2013. Hearing is scheduled for 05/03/2013 in Santa Fe, New Mexico.	
NM011113-2	Natural Resources Conservation	12/31/2012	<a href="#">77 FR 77090 HTML</a>   <a href="#">PDF</a>	Notice Meeting	U.S. Bureau of Land Management, Interior Las Cruces District Resource Advisory Council Meeting and Public Comment  Announces a meeting and public comment session to discuss updates for ongoing BLM issues and planning efforts and the <a href="#">Restore New Mexico Program</a> . Meeting is scheduled for 01/23/2013 in Las Cruces, New Mexico. Comments due 01/23/2013.  <b>BLM is conducting a large-scale rangeland conservation project to restore grassland, woodlands, and riparian areas.</b>	<b>WSTF</b> should be aware of this meeting.
NM011113-3	Species	12/31/2012	<a href="#">NM Register, Vol. 23, No. 24</a>	Final Rule	New Mexico Department of Game and Fish List of Threatened and Endangered Species [19.33.6 NMAC]  Amends Sections 2 and 6 through 9 to repeal Restricted Species language concerning large exotic cat species. Also amends several threatened and endangered species names to current scientific standards. Effective 12/31/2012.	

## 2.8 Ohio State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Ohio. An archive of past public notices is available on the OEPA [website](#).

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH011113-1	Water NPDES	01/11/2013	<a href="#">DSW-What's New</a>	Notice	Division of Surface Water, Ohio Environmental Protection Agency Draft General Permit Renewal–Storm Water Discharge from Small and Large Construction Activities  Announces availability of a draft renewal <a href="#">NPDES general permit</a> that authorizes stormwater discharges associated with construction activity. Further details are provided in the <a href="#">Public Notice</a> and <a href="#">Fact Sheet</a> . Public hearing is scheduled for 02/25/2013 in Columbus, Ohio. Comments due 03/04/2013.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
OH011113-2	Water Wetlands	01/08/2013	<a href="#">DSW-Early Stakeholder Outreach</a>	Notice	Division of Surface Water, Ohio Environmental Protection Agency  DSW Requesting Stakeholder Input on Wetland Antidegradation Rules [OAC 3745-1-54]  Solicits input about an amendment to the water quality rules that addresses antidegradation requirements for discharges to wetlands. The intent of the rules is to prevent net loss of wetland acreage or functions. Further details are provided in the <a href="#">Stakeholder Input Request</a> . Comments due 02/08/2013.	

## 2.9 Texas State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Texas.

## 2.10 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT011113-1	Air SIP-Ozone	01/01/2013	<a href="#">78 FR 37 HTML</a>   <a href="#">PDF</a>	Proposed Rule	U.S. Environmental Protection Agency  Approval and Promulgation of Air Quality Implementation Plans; Utah; Maintenance Plan for the 1997 8-Hour Ozone Standard for Salt Lake County and Davis County [40 CFR Part 52]  Proposes to partially approve and partially disapprove SIP revisions submitted 03/22/2007 relating to the 1997 8-hour ozone maintenance plan and certain associated rules. Affected counties include the following: <ul style="list-style-type: none"> <li>▪ Davis</li> <li>▪ Salt Lake</li> </ul> Proposed actions include approving certain associated rules as interpreted by EPA, including Ozone Nonattainment and Maintenance Areas: Degreasing and Solvent Cleaning Operations <a href="#">[R307-335]</a> , and Ozone Nonattainment and Maintenance Areas: Surface Coating Processes <a href="#">[R307-340]</a> . Comments due 02/01/2013.	<a href="#">NASA-related operations</a> should be aware of this action.

## 2.11 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and related operations in Virginia.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA011113-1	Air NO <sub>x</sub>	01/03/2013	<a href="#">VDEQ Website</a>	Notice	Virginia Department of Environmental Quality Regulations for Emissions Trading [9VAC5-140]  <a href="#">Announces</a> periodic review of the NO <sub>x</sub> Budget Trading Program to determine whether the regulations should be amended, terminated, or retained in their current form. Comments due 02/19/2013.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA011113-2	Air Permitting	01/03/2013	<a href="#">VDEQ Website</a>	Notice	Virginia Department of Environmental Quality Permits for Stationary Sources [9VAC5-80] <a href="#">Announces</a> periodic review of the Article 3 (Federal Operating Permits for Acid Rain Sources), Article 4 (Insignificant Activities), and Article 5 (State Operating Permits) to determine whether the regulations should be amended, terminated, or retained in their current form. Comments due 02/19/2013.	
VA011113-3	Air Stationary Sources	01/03/2013	<a href="#">VDEQ Website</a>	Notice	Virginia Department of Environmental Quality Existing Stationary Sources [9VAC5-40] <a href="#">Announces</a> periodic review to determine whether the regulations should be amended, terminated, or retained in their current form. Comments due 02/19/2013.	
VA011113-4	Waste Universal Waste	01/08/2013	<a href="#">Virginia Regulatory Town Hall Website</a>	Notice Meeting	Virginia Department of Environmental Quality Stakeholder Meeting on Universal Waste Lamp Crushing <a href="#">Announces</a> a public meeting to obtain input from stakeholders and other parties regarding the crushing of <a href="#">fluorescent lights/mercury-containing lamps</a> under the UW provisions ( <a href="#">9VAC20-60-273</a> ) of Virginia's Waste Management Regulations. Meeting is scheduled for 02/12/2013 in Glen Allen, Virginia.	
VA011113-5	Water VPDES	12/31/2012	<a href="#">29.9 VA.R. 1426</a>	Final Rule	Virginia Department of Environmental Quality, State Water Control Board Virginia Pollutant Discharge Elimination System Permit Regulation [9VAC25-31] Updates citations and the date of effectiveness of the incorporation of Title 40 of the CFR. Effective 01/30/2013.	